

CABINET

Decision Notices and Minutes of a meeting of the Cabinet held on Thursday, 19th September, 2013 at 5.00 p.m. at the AFC Telford Learning Centre, Haybridge Road, Wellington, Telford

PUBLISHED ON WEDNESDAY, 25th SEPTEMBER, 2013

(DEADLINE FOR CALL-IN: MONDAY, 30th SEPTEMBER, 2013)

PRESENT: Councillor K.S. Sahota (Leader and Chair), E.A. Clare, S. Davies, A.R.H. England, W.A.M. McClements, R.A. Overton, H. Rhodes and P.R. Watling

ALSO PRESENT: Councillor A.J. Eade (Conservative Group Leader) and W.L. Tomlinson (Liberal Democrat/Independent Group Leader)

CB-27 MINUTES

RESOLVED – that the minutes of the meeting of the Cabinet held on 25th July 2013 be confirmed and signed by the Chairman.

CB-28 APOLOGIES FOR ABSENCE

Councillor C.F. Smith

CB-29 DECLARATIONS OF INTEREST

Councillor A.R.H. England declared a personal interest in agenda item 7 – Youth Justice Plan – in relation to his role as a JP in the Youth Court.

Councillor S. Davies declared a personal interest in agenda item 7 – Youth Justice Plan – in relation to his work as a Solicitor representing people in the Youth Court.

Councillor E.A. Clare declared a personal interest in agenda item 9 – Early Works Agreement at Telford Co-operative Academy – in relation to her role as Governor at Sutherland Academy.

CB-30 SOLAR FARM

Key Decision identified as **Commercial Energy Project – Solar Farm** in the Notice of Key Decisions published on 19 August 2013.

Councillor S. Davies, Cabinet Member: Neighbourhood Services, Employment & Skills, presented the report of the Managing Director, which set out an initial business case for the development of a solar farm in the Borough, and the next steps to progress this project.

As part of the Council's wider energy strategy, it was proposed to develop a commercial-scale solar farm of approximately 5MW capacity on Council-owned land at Wheat Leasows. The main reasons for developing a solar farm were:

- Financial benefit – generation of renewable energy would provide an income stream for the Council that could potentially be offset against the Council's energy costs. Income would be guaranteed for a 20 year period via Government schemes.
- Environmental benefit – a 5MW capacity solar farm was likely to save more than 2,300 tonnes of CO₂ and to generate enough electricity to power more than 1,000 homes.
- Economic & Community benefit – including for example the use of local suppliers during the construction phase, and including educational activities as part of the scheme.

To connect with the national Grid, the Council would be dependent on the local Distribution Network Operator, and the costs of this were being evaluated. The business case was still being developed, and was subject to potential changes in the price of the solar panels and in the Feed-In Tariff rate. The initial financial model, showing likely returns based on different rates of energy price inflation, was appended to the report as an exempt appendix. External financial advice was being taken to ensure that the business case was as robust as possible. Another risk associated with the project was obtaining planning consent. A planning consultant had been appointed to co-ordinate the planning process.

There were a number of residential properties near to the proposed site, as well as HLC Queensway School. Councillor P.R. Watling, Cabinet Member for Children, Young People & Families, reported that initial discussions had been held with the School. In addition, there was likely to be interest in the project from the wider community. A communication and engagement plan had been developed, with Phase 1 involving direct contact with those living and working in the immediate vicinity, as well as with relevant Ward members and Parish/Town Councils. Once a planning application had been submitted, there would be formal consultation with stakeholders and the wider community on the specific proposals.

Councillor A.J. Eade (Conservative Group Leader) expressed some concerns regarding the risks involved with this scheme, and some of the assumptions in the financial model. There could also be adverse impacts for local residents if large scale screening or security measures were required around the site. The Chair advised that the detailed financial case for the scheme was classified as exempt information, and this part of the report could only be discussed following the exclusion of the public and press later in the meeting.

It was therefore

RESOLVED – to adjourn further consideration of the report until later in the meeting following the exclusion of the public and press.

CB-31

BRINGING EMPTY PROPERTIES BACK INTO USE AND TACKLING ROGUE LANDLORDS

Key Decision identified as **Bringing Empty Homes Back into Use** in the Notice of Key Decisions published on 30 April 2013.

Councillor R.A. Overton, on behalf of the Cabinet Member: Housing, Development & Borough Towns, presented the report of the Assistant Director: Development, Business & Employment, which set out proposals to bring empty properties back into use and tackle rogue landlords by establishing a social lettings agency and implementing a landlord accreditation scheme.

In Telford & Wrekin, there were estimated to be around 400 homes known to have been empty for longer than 6 months, of which around 162 had been inspected to date. 97% of these properties were privately owned. At the same time, the waiting list for social housing was continuing to increase, which meant it was vital for every source of accommodation to be maximised in order to meet demand. Empty properties were often detrimental to local communities if they were left to deteriorate. In response to these issues, it was proposed that the cross-Council Housing Action Team co-ordinate a programme of action/support to identify and monitor empty properties, and work with owners to identify what could be done to bring the property back into use. This could include the renovation, conversion and refurbishment of empty properties via a loans scheme. It was proposed to use £150,000 generated from capital receipts from disposals in Sutton Hill to fund a loans scheme, with loans of up to £20,000 being made available to landlords to bring empty dwellings in Sutton Hill back into use. Loans of between £5,000 and £15,000 were also being made available via the national Empty Homes Community Grants Programme – for which Telford & Wrekin would be an early adopter. Where properties were dilapidated or in a very poor condition, there were a number of other potential solutions including enforcement action, enforced sale or the making of an Empty Dwelling Management Order.

With increasing demand for private rented accommodation, it was proposed to introduce a Landlord Accreditation Scheme and take co-ordinated action to address poor landlord practices. The Scheme would involve the development of a register of landlords that adhered to correct practices. The Scheme would also provide advice and support to landlords in managing their properties. It was also proposed to create a Social Lettings Agency to source affordable, good quality accommodation.

Members welcomed the actions being proposed, particularly the introduction of a Landlord Accreditation Scheme which was a good step in giving tenants reassurance that they were dealing with a responsible landlord. In response to a question from Councillor W.L. Tomlinson (Liberal Democrat/Independent Group Leader), the Home Improvement Team Leader reported that it was hoped to be able to inspect all the known empty properties in the Borough within the next 6-12 months, following which a further report on the situation could be brought to Members.

RESOLVED –

- (a) that a capital allocation and expenditure of £150,000, funded from existing capital receipts, to reduce the significant number of empty homes within Sutton Hill be approved;
- (b) that the implementation of a Landlord Accreditation Scheme, as set out in the report, be approved;
- (c) that authority be delegated to the Home Improvement Agency Team Leader, in consultation with the Cabinet Member: Housing, Development & Borough Towns, to serve an Empty Dwelling Management Order, Compulsory Purchase Order and/or instigate an Enforced Sales Procedure;
- (d) that an Enforced Sales Procedure on an empty property be commenced where a minimum debt of £1,000 is outstanding on the property.

CB-32 HOMELESSNESS STRATEGY

Key Decision identified as **Homelessness Task Force – Homeless Strategy** in the Notice of Key Decisions published on 30 April 2013

Councillor R.A. Overton, on behalf of the Cabinet Member: Housing, Development & Borough Towns, presented the joint report of the Assistant Director: Development, Business & Employment and the Assistant Director: Family & Cohesion Services, which referred to a revised homelessness strategy that had been developed following a review of the present arrangements for dealing with homelessness. There was a minor amendment to recommendation 2.5 to make clear that the proposed use of capital receipts was a recommendation to full Council. A copy of the draft Strategy was appended to the report, and a minor typographical error on page 38 of the document would be amended.

A comprehensive review of homelessness in Telford & Wrekin had been undertaken by the Council in partnership with a number of other agencies. The key issues identified by the review were an over-reliance on bed and breakfast accommodation to meet the Council's statutory duty on homelessness, and an over-reliance on officers within Family & Cohesion Services to deliver a fully integrated solution to homelessness. The review concluded that officers in a client facing role were not best placed to manage property related functions and this was leading to the inefficient use of resources.

The revised Strategy set out how the Council would work with partners to prevent and tackle statutory and non-statutory homelessness, including eliminating the need for rough sleeping. The Strategy included an action plan setting out how the aims and priorities would be achieved over the next three years. It was proposed that the Development, Business & Employment service area would take over responsibility for managing all property aspects,

including for example negotiating leases and managing repairs and maintenance. Further details were appended to the report, but one immediate action being proposed was the refurbishment of existing accommodation at Refuge at a cost of c£110k, to be funded from the disposal of surplus properties within the homelessness portfolio. The temporary housing needs of service users would be brokered by Development, Business & Employment Services, working with private sector partners using a “Social Letting Agency” type model. The Strategy also addressed the need to accommodate Gypsies and Travellers in transit and tolerance sites, and the need to increase the size of existing sites to meet demand.

A query was raised on the figure quoted in the Strategy for the number of households registered with the ‘Choose Your Home’ scheme. Members, however, welcomed the involvement of charitable and voluntary groups in the development of the Strategy.

RESOLVED –

- (a) that the draft Homelessness Strategy 2013-2016 be approved for consultation, with a final report being brought back to Cabinet for approval later this year;**
- (b) that all property related functions relating to homelessness be transferred to the Development, Business & Employment Service area, and that delegated powers for making decisions relating to the property currently owned or leased for the purpose of providing temporary accommodation (as shown at Appendix 1 of the report) be granted to the Assistant Director: Development, Business & Employment, in consultation with the Cabinet Member for Housing, Development & Borough Towns;**
- (c) that authority be delegated to the Assistant Director: Development, Business & Employment, following consultation with the Cabinet Member: Housing, Development & Borough Towns, to enter into, and award, any contracts necessary for the delivery of the Phase 1 works as outlined in the report;**
- (d) that authority be delegated to the Assistant Director: Development, Business & Employment for the disposal and acquisition of properties in order to deliver the Homelessness Strategy;**
- (e) TO RECOMMEND to COUNCIL that the utilisation of £110,000 of capital receipts towards the refurbishment of Refuge be approved;**
- (f) that it be noted that a revenue budget of £64,000 per annum from 2014/15 was required to allow for the delivery of the Homelessness Strategy, to be met by the identification of further savings from within the Family & Cohesion Service and Development, Business & Employment Service;**

- (g) that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to execute all legal documentation necessary to give effect to the resolutions above.

CB-33 **YOUTH JUSTICE PLAN**

Key Decision identified as **Youth Justice Plan** in the Notice of Key Decisions published on 19 August 2013

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Family & Cohesion Services regarding the Youth Justice Plan which was prepared on an annual basis on behalf of Herefordshire Council, Shropshire Council, Telford & Wrekin Council and Worcestershire County Council. There was an amendment to the recommendation in the report in order to reflect the requirement for the Plan to be approved by full Council. A copy of the Plan for 2013/14 was appended to the report.

The Youth Justice Plan was a statutory document that set out how youth justice services across West Mercia were to be structured, provided and funded. It identified a number of priorities, and key actions to address risks to service delivery and improvement. These included focussing collaborative multi-agency effort on work to improve outcomes for Young Offenders; setting a strategic direction for the Youth Offending Service (YOS) across West Mercia; and to provide support and challenge to the YOS on operational performance.

In respect of the latter, the report detailed current performance on key national indicators for First Time Entrants to the youth justice system, the use of custody, and re-offending rates. These all compared favourably in comparison with national and regional performance. It also provided information on progress made during the first quarter of the year towards the main priorities in the Plan.

Phil Kendrick from the Youth Offending Service was present and was invited to answer questions from Members. In relation to the figures showing a rise in re-offending rates while the use of custody was falling, Mr Kendrick advised that the national trend was seeing persistent re-offending by a smaller group of offenders with complex needs and problems. Work was being done locally to gain a better understanding of this and to reduce the re-offending rate.

RESOLVED –

- (a) **TO RECOMMEND to COUNCIL that the Youth Justice Plan 2013/14 be approved;**
- (b) **that the performance for the first quarter be noted.**

Key Decision identified as **West Mercia Adoption Project** in the Notice of Key Decisions published on 19 August 2013

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Children's Safeguarding which sought approval in principle to the development of a West Mercia Adoption Service across Herefordshire, Shropshire, Telford & Wrekin and Worcestershire.

Currently, Telford & Wrekin and Shropshire had a joint adoption service run by Shropshire Council. Herefordshire and Worcestershire each had their own adoption service. In response to new powers being proposed by Government in the Children & Families Bill 2013 (including taking over the running of adoption services that were not deemed to be performing appropriately), it was recognised that by working collaboratively, the four local authorities could deliver a more efficient and effective service to a wider range of children, with particular emphasis on improving the timeliness of placing children and young people for adoption.

The governance arrangements to deliver the project had been agreed and established, with a strategic Project Board made up of the four Directors of Children's Services. An Outline Business Case had been prepared to provide an initial outline of the project and what it sought to achieve. A copy of the Outline Business Case was appended to the report. A number of delivery options had been looked at, and it was proposed that the three most promising options be further explored via cost benefit analysis etc. None of the options precluded going into partnership with a voluntary organisation. Consultation activity with stakeholders was being organised.

Members welcomed the work being undertaken to develop a regional Adoption Service, and noted that it could result in 20% cost savings as a result of greater efficiencies.

RESOLVED –

- (a) That the proposal to develop a West Mercia Adoption Service, as set out in the Outline Business Case appended to the report, be approved in principle;**
- (b) that the options described in the Outline Business Case be explored further;**
- (c) that a further report be received when the Full Business Case is available in February 2014.**

CB-35 **BUILDING SCHOOLS FOR THE FUTURE – APPROVAL TO ENTER INTO AN EARLY WORKS AGREEMENT AT TELFORD CO-OPERATIVE ACADEMY ON THE SITE OF THE OAKENGATES LEISURE CENTRE**

Key Decision identified as **Building Schools for the Future – Approval to Enter into an Early Works Agreement at Telford Co-operative Academy, Oakengates** in the Notice of Key Decisions published on 19 August 2013

Councillor P.R. Watling, Cabinet Member: Children, Young People & Families, presented the report of the Assistant Director: Education & Corporate Parenting which sought approval to enter into an Early Works Agreement with the main contractor for the Borough's Building Schools for the Future (BSF) programme for development of the site for the Telford Co-operative Academy.

There was an exceptionally tight schedule in order for the new Academy to be open in September 2015 and for the new 3G synthetic pitch to be available by November 2013. To meet these deadlines, Shepherd Construction needed to undertake the enabling works as soon as possible. The total cost of the works under the proposed Early Works Agreement was in the region of £1.18m. Planning applications for the 3G pitch and the main school building were to be determined over the next few weeks, and the Final Business Case was being prepared for submission to the Education Funding Agency. Once the approvals were in place, the Council would enter into a contract with Shepherd Construction for the delivery of the new school and associated works on the Oakengates Leisure Centre site. Detailed financial information and legal advice was contained within the report.

RESOLVED – that authority be delegated to the Assistant Director: Education & Parenting, in consultation with the Cabinet Member: Children, Young People & Families, to enter into an Early Works Agreement with Shepherd Construction Ltd on the Telford Co-operative Academy site, prior to the signing of the main Design and Build contract, allowing enabling works to be undertaken to provide revenue income from the proposed 3G synthetic pitch and to facilitate the opening of the new school building in September 2015.

(NB: Councillor E.A. Clare did not vote on this item)

CB-36 **DESIGNATION OF A NEIGHBOURHOOD PLAN AREA FOR ERCALL MAGNA**

Key Decision identified as **Application for the Designation of a Neighbourhood Area – Ercall Magna** in the Notice of Key Decisions published on 19 August 2013

Councillor R.A. Overton, on behalf of the Cabinet Member: Housing, Development & Borough Towns, presented the report of the Assistant Director: Planning Specialist, which detailed an application from Ercall Magna Parish Council for the designation of their area as a Neighbourhood area for planning purposes.

In May 2011 the Council successfully bid with Ercall Magna Parish Council for the Parish area to become one of the Government's 'Frontrunners in Neighbourhood Planning'. The development of a Neighbourhood Plan required the Council to agree and formally designate the area that would be the subject of the Plan. The proposed Neighbourhood Plan area for Ercall Magna, which reflected the current Parish Council boundaries, was appended to the report. The request was subject to a statutory consultation period, which ended on 24 May 2013. No representations were submitted. It was suggested that the correlation with the Parish Council area would assist in any future referendum and provided a good model for future Neighbourhood Plan proposals. Given that no concerns to the proposed boundary had been raised, it was therefore recommended that the designation request be supported.

RESOLVED – that the Neighbourhood Area application by Ercall Magna Parish Council be supported, and that the area shown at Appendix A of the report be designated as a Neighbourhood Area.

CB-37 SCRAP METAL DEALERS ACT 2013

Non-Key Decision

Councillor R.A. Overton, Cabinet Member for Public Health and Public Protection, presented the report of the Interim Manager – Public Protection, which outlined the Council's responsibilities arising from the introduction of the Scrap Metal Dealers Act 2013.

The Scrap Metal Dealers Act 2013 came into effect on 1 October 2013, replacing the previous registration system for scrap metal dealers. Local Authorities would be responsible for administration and compliance in relation to the Act. A site licence would make it a requirement for a licensee to identify all of the sites within the local authority that were used for the business of a scrap metal dealer, and a site manager to be named for each site. A separate mobile collectors licence would be required for the collection of domestic and commercial scrap metal in the area of the issuing authority. Only suitable dealers would be allowed to operate, with Councils being able to consider relevant criminal convictions when determining whether an applicant was a suitable person to be a scrap metal dealer. There were new requirements for dealers to keep records and it would be an offence for dealers to pay for scrap in cash.

The power to set licence fees had been passed to Local Authorities, and proposed fees for the new licences under the Act were appended to the report. Benchmarking data on other Authorities' proposed fees was also provided to provide comparison, along with a full costing exercise showing the projected costs of administering the new licensing system.

RESOLVED –

- (a) that the proposed licence fees for Site Licences and Collectors Licences set out at Appendix A of the report be approved;**

- (b) that authority be delegated to the Principal Licensing Officer to grant, refuse, vary or revoke licences and to impose licence conditions;
- (c) that authority be delegated to the Principal Licensing Officer, following consultation with the Cabinet Member for Public Health and Public Protection, to establish a policy in respect of determining applications and an appropriate procedure for dealing with representations.

CB-38 EXCLUSION OF PUBLIC AND PRESS

RESOLVED – that the public and press be excluded from the meeting for the following items of business on the grounds that they may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information) as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

CB-39 SOLAR FARM

Key Decision identified as **Commercial Energy Project – Solar Farm** in the Notice of Key Decisions published on 19 August 2013.

Further to minute CB-30 above, Cabinet resumed their consideration of this item of business.

Councillor W.A.M. McClements, Cabinet Member: Finance & Enterprise, presented the confidential information relating to the financial case for the scheme. There were slight amendments to the projected surplus figures shown in the report in order to take account of the lost rental income from the current use of the site. The figures for the likely returns from the solar farm shown in the financial model were considered to be on the conservative side. Government was encouraging Local Authorities to find innovative ways of generating income, and this scheme would bring other wider benefits to the environment.

In response to concerns raised by the Conservative Group Leader regarding the borrowing costs for the scheme, the Cabinet Member stated that these costs would be more than recouped from the income generated by the solar farm.

RESOLVED –

- (a) that the submission of a planning application to develop a solar farm on land at Wheat Leasows, as shown on the plan appended to the report, be approved;
- (b) that, subject to planning permission being granted, authority be delegated to the Managing Director, in consultation with the

Cabinet Member for Finance & Enterprise and the Cabinet Member for Neighbourhood Services, Employment & Skills, to procure the design, build and operation contract(s) for the solar farm;

- (c) **that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to execute all legal documentation necessary to give effect to the recommendations contained in the report.**

CB-40 PROVISION OF COMMUNITY MEALS – FROZEN MEALS SERVICES

Key Decision identified as **Provision of Community Meals – Frozen Meals** in the Notice of Key Decisions published on 19 August 2013

Councillor A.R.H. England, Cabinet Member: Adult Social Care, presented the report of the Assistant Director: Care & Support, which sought approval for the completion of arrangements and a tendering process for the award of a contract for the supply and delivery of frozen meals for regeneration and for direct home delivery.

The report detailed the current service provision under the existing contract which was due to expire on 31 March 2014. While the tender for the new contract would primarily be on a like-for-like basis with the current provision, it did allow an opportunity to explore new options for the delivery of this service. Detailed financial and contractual information regarding the service and the tendering process was contained within the report.

RESOLVED –

- (a) **that the re-tendering for the provision of the supply and delivery of individual frozen meals for adults living in the community and to designated regeneration centres within the Borough of Telford & Wrekin be approved;**
- (b) **that authority be delegated to the Assistant Director: Care & Support, in consultation with the Cabinet Member: Adult Social Care, to award a contract for a term of three years (with an option to extend for up to a maximum of a further two years subject to satisfactory performance and pricing) for the provision of frozen meals services in accordance with the Council's Constitution and Contract Procedure Rules, such contract being subject to the terms and conditions recommended by the Assistant Director: Law, Democracy & Public Protection;**
- (c) **that authority be delegated to the Assistant Director: Law, Democracy & Public Protection to execute all documentation required to give effect to any agreement reached pursuant to the resolutions above;**

The meeting ended at 6.07pm.

Signed for the purposes of the Decision Notices

Jonathan Eatough
Assistant Director: Law, Democracy & Public Protection
Date: 25 September 2013

Signed:

Date: